

Assembly Joint Resolution No. 29

RESOLUTION CHAPTER 65

Assembly Joint Resolution No. 29—Relative to Social Security.

[Filed with Secretary of State June 19, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 29, Pavley. Social Security benefits: teachers.

This measure would request the President and the Congress of the United States to enact legislation to remove the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act.

WHEREAS, The State Teachers' Retirement System has a higher contribution rate than, and benefits commensurate to, the Social Security system; and

WHEREAS, The State Teachers' Retirement System is not coordinated with the federal Social Security system; and

WHEREAS, The Social Security Act includes two offsets, the Government Pension Offset and the Windfall Elimination Provision, that reduce the Social Security benefits payable to persons who are entitled to benefits under other public retirement systems, under certain conditions; and

WHEREAS, Public employees in California who do not pay into Social Security incur substantial reductions in their federal Social Security benefits even if they otherwise qualify for those benefits through prior employment for which they paid into Social Security, or as surviving spouses through their spouses' Social Security eligibility; and

WHEREAS, These offsets discourage individuals with prior work experience from seeking teaching positions; and

WHEREAS, Every child is entitled to be taught by a fully credentialed teacher, but California has had a significant shortage of teachers credentialed in the subjects they are assigned to teach; and

WHEREAS, The recruitment and retention of teachers from other states who are entitled to Social Security benefits upon retirement is also undermined by these offsets; and

WHEREAS, Legislation to remedy the Government Pension Offset and the Windfall Elimination Provision have been introduced in the 107th Congress by members of the California Congressional delegation

and received bipartisan support from a majority of the California delegation in the 106th Congress; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California requests the Congress of the United States to enact legislation to remove the onerous effects of the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act, and further, the Legislature of the State of California requests President George W. Bush to support and sign that legislation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

